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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/803,653
				Filing Date	March 18, 2004
				First Named Inventor	John McCafferty
				Group Art Unit	1645
				Examiner Name	Not yet assigned
Sheet	1	of	1	Attorney Docket Number	05569.0004.DVUS12

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
ADS	C120	Clackson, T., et al., "Making Antibody Fragments Using Phage Display Libraries," MacMillan Journals Ltd., London, Vol. 352, pp. 624-628 (August 15, 1991)	
ADS	C122	Geysen, H.M., et al., "A Priori Delineation of a Peptide Which Mimics a Discontinuous Antigenic Determinant," Molecular Immunology, Vol. 23, No. 7, pp. 709-715 (1986)	
ADS	C123	International Search Report dated August 9, 2004 for European Patent Applc. No. 04005419.9	
ADS	C124	Portolano, S., et al., "A Human Fab Fragment Specific For Thyroid Peroxidase Generated By Cloning Thyroid Lymphocyte-Derived Immunoglobulin Genes in a Bacteriophage Lambda Library" Biochemical and Biophysical Research Communications, Vol. 179, No. 1, pp. 372-377 (August 30, 1991)	

Examiner Signature	/Amber Steele/	Date Considered	09/26/2006
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App. Docket No.

05569.0004.DVUS12

Serial No.

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McCafferty, J. *et al.*

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*Examiner Initials		Document Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
ADS	A1	4,593,002	06/03/86	Dulbecco	435	172.3	
	A2	4,816,397	03/28/89	Boss <i>et al.</i>	435	68	
	A3	4,946,778	08/07/90	Ladner <i>et al.</i>	435	69.6	
	A4	5,091,513	02/25/92	Huston <i>et al.</i>	530	387	
	A5	5,223,409	06/29/93	Ladner <i>et al.</i>	435	69.7	
	A6	5,403,484	04/04/95	Ladner <i>et al.</i>	435	235.1	
	A7	5,427,908	06/27/95	Dower <i>et al.</i>	435	5	
	A8	5,658,727	08/19/97	Barbas <i>et al.</i>	435	6	
	A9	5,688,666	11/18/97	Bass <i>et al.</i>	435	69.4	
	A10	5,750,373	05/12/98	Garrard <i>et al.</i>	435	69.4	
	A11	5,759,817	06/02/98	Barbas, C.	435	69.7	
	A12	5,770,356	06/23/98	Light <i>et al.</i>	435	5	
	A13	5,780,279	07/14/98	Matthews <i>et al.</i>	435	172.3	
	A14	5,821,047	10/13/98	Garrard <i>et al.</i>	435	5	
	A15	5,846,765	12/08/98	Matthew <i>et al.</i>	435	69.1	
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	A17	5,985,588	11/16/99	Breitling <i>et al.</i>	435	7.8	

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*Examiner Initials		Document Number	Publication Date	Country	Class	Subclass	Translation	
							Yes	No
	B1	WO 83/02393	07/21/83	WIPO				
	B2	EP 2 137 631	10/10/84	EP				
	B3	EP 0 168 933	01/22/86	EP				
	B4	WO 88/06630	09/07/88	WIPO				
	B5	WO 88/09344	12/01/88	WIPO				
	B6	EP 0 324 162 A1	12/24/88	EP				
	B7	AU-B-27617/88	07/06/89	AU				
	B8	WO 90/02809	03/22/90	WIPO				
	B9	WO 90/05144	05/17/90	WIPO				
	B10	WO 90/14424	11/29/90	WIPO				
	B11	WO 90/14430	11/29/90	WIPO				
	B12	WO 90/14443	11/29/90	WIPO				
	B13	WO 91/10737	07/25/91	WIPO				
	B14	WO 91/17271	11/14/91	WIPO				
	B15	WO 92/06204	04/16/92	WIPO				
	B16	WO 92/09690	06/11/92	WIPO				
	B17	WO 92/18619	10/29/92	WIPO				

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C14	Brenna, O. et al., "Affinity-Chromatography Purification of Alkaline Phosphatase from Calf Intestine," <i>Biochem. J.</i> , 151:291-296 (1975).
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C20	Chang, C. N. <i>et al.</i> , "Nucleotide sequence of the alkaline phosphatase gene of <i>Escherichia coli</i> ," <i>Gene</i> , 44:121-125 (1986).
C21	Chaudhary, V.K. <i>et al.</i> , "A rapid method of cloning functional variable-region antibody genes in <i>Escherichia coli</i> as single-chain immunotoxins," <i>Proc. Natl. Acad. Sci., USA</i> , 87:1066-1070 (February, 1990).
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C30	Curti, B.D., "Physical Barriers to drug delivery in tumors," <i>Critical Reviews in Oncology/Hematology</i> , 14:29-39 (1993).
C31	Cwirla, S.E. et al., "Peptides on phage: A vast library of peptides for identifying ligands," <i>Proc. Natl. Acad. Sci. USA</i> , 87:6378-6382 (1990).
C32	De Bellis, D. et al., "Regulated expression of foreign genes fused to <i>lac</i> : control by glucose levels in growth medium," <i>Nucl. Acids Res.</i> , 18(5):1311 (1980).
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C41	Galfré, G. et al., "Preparation of Monoclonal Antibodies: Strategies and Procedures," <i>Methods Enzymology</i> , 73:3-46 (1981).
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Form PTO-1449 (Modified)

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App. Docket No.

05569.0004.DVUS12

Serial No.

New

Application

Applicant

McCafferty, J. *et al.*

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3-18-04

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U.S. Department of Commerce
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U.S. Department of Commerce
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3-18-04

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										Filing Date March 18, 2004						Group Art Unit		
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ADS ↓ ↓ ↓	A1	6	3	3	1	4	1	5		Cabilly et al.	435	69.6	6/10/88					
	A2	07/	2	4	0	1	6	0	3/22/90	Ladner application	435	69.6	X					
		5	4	2	7	9	0	8	06/95	Dower et al.	435	5						
		6	1	7	2	1	9	7	01/01	McCafferty et al.	530/387	3						
		5	9	6	9	1	0	8	10/99	McCafferty et al.	530/387	3						
FOREIGN PATENT DOCUMENTS																		
	DOCUMENT NUMBER								DATE	COUNTRY	CLASS	SUB CLASS	Translation Yes No					
ADS ↓ ↓ ↓ ↓ ↓ ↓	B1	WO 88/01649								3/10/88	PCT			X				
	B2	GB9022845.3								10/19/90	Great Britain							
	B3	GB9024503.6 patent application								11/12/90	Great Britain							
	B4	GB 9104744.9 patent application								3/6/91	Great Britain							
	B5	EP-A-0 368 684								5/16/90	Great Britain							
	B6	GB9015198.6 priority document								7/10/90	Great Britain							
	B7	GB 9022845.3 priority document								10/19/90	Great Britain							
	B8	GB 9104744.9 priority document								3/6/91	Great Britain							
	B9	GB9110549.4 priority document								5/15/91	Great Britain							
	EP-B-0 347 378 B1								11/30/94	Great Britain								
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C1	First Amended Complaint, Filed March 8, 2002 - Morphosys AG v. Cambridge Antibody Technology Limited, Case No. 1:00-CV-00146 (24 pages) (U.S. District Court, District of Columbia)(signed by John S. Skimon, Attorney for Plaintiff.)																	
C2	Cambridge Antibody Technology Limited's Answer to First Amended Complaint, Filed March 22, 2002 - Morphosys AG v. Cambridge Antibody Technology Limited, Case No. 1:00-CV-00146 (30 pages) (U.S. District Court, District of Columbia)(signed by Brian H. Corcoran, Attorney for Defendant).																	
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		Filing Date March 18, 2004	Group Art Unit
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C3	Il'ichev, A.A., et al., "M13 Filamentous Bacteriophage in Protein Engineering", Molekulyarnaya Biologiya, Vol. 24, No. 2, pp. 530-535, (March-April 1990).		
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C6	Deposition Transcript of David W. Clough, taken April 19, 2002 (Morphosys AG v. Cambridge Antibody Technology Limited, U.S. District Court, Northern District of Illinois, Eastern Division).		
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C11	Deposition Transcript of Dr. David Chiswell, taken 29 April 2002; Morphosys AG v. Cambridge Antibody Technology Limited, Case No. 1:00-CV-00146 (30 pages) (U.S. District Court, District of Columbia.)		
C12	Deposition Transcript of Dr. Gregory Paul Winter, taken April 30, 2002; Morphosys AG v. Cambridge Antibody Technology Limited, Case No. 1:00-CV-00146 (30 pages) (U.S. District Court, District of Columbia.)		
C13	Vol. I - Deposition Transcript of Sean Malcolm Walton, taken 01 May 2002, Morphosys AG v. Cambridge Antibody Technology Limited, Case No. 1:00-CV-00146 (30 pages) (U.S. District Court, District of Columbia.)		
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
C14	Vol. II - Deposition Transcript of Sean Malcolm Walton, taken 02 May 2002, Morphosys AG v. Cambridge Antibody Technology Limited, Case No. 1:00-CV-00146 (30 pages) (U.S. District Court, District of Columbia.)		
C15	Chiswell memo, dated 30 July 1990, transmitting a copy of the Collaborative Agreement between Cambridge Antibody Technology and The Medical Research Council, dated July 27, 1995.		
C16	Declaration of George P. Smith, Ph.D., Under 37 C.F.R. § 1.132, executed 30 June 1995 (submitted during the prosecution of U.S. Application No. 08/322,352).		
C17	Declaration of Brian K. Kay, Ph.D., executed 28 June 1998, (submitted during the prosecution of European Appln. No. 91913039.3)		
C18	Abstract of George P. Smith, Grant No. 1R01GM41478-01A1, Project Start Date: July 1, 1989, Dept. of Health & Human Services.		
C19	Smith Grant Application, entitled: "Filamentous Phage Physiology", dated November 1, 1988		
C20	Administration Agreement between Cambridge Antibody Technology Ltd. and Medical Research Council, dated 01 August 1991 (Redacted).		
C21	Fax from John McCafferty (of Cambridge Antibody Technology Limited) to Sean Walton (of Mewburn Ellis) regarding the Smith grant application.		
C22	E-mail message from John McCafferty (of Cambridge Antibody Technology Limited) to Brian Kay regarding the Smith grant application		
C23	Letter to Craig Panter (of the Academic Press) from John McCafferty (Cambridge Antibody Technology Limited) regarding the Smith grant application		
C23A	Fax to John McCafferty, Ph.D. (of Cambridge Antibody Technology Limited) from Craig Panter (of Academic Press) dated June 10, 1996.		
C24	Smith G. P., "1988 - A Year of Discovery", <i>Phage Display of Peptides and Proteins</i> , Academic Press, Inc. (1996), pp. xvii-xix.		
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C26	Letter of Dr. Smith Re: NIH grant proposals, Dated June 27, 1997		
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| C27 | Barbas and Lerner "Combinatorial Immunoglobulin Libraries on the surface of phage (Phabs): rapid selection of anti-specific fabs." Methods: a companion to methods in Enzymology Vol. 2 (2): 119-124 (1991). |
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| C29 | Notice of Appeal to the European Patent EP-B-0589877 from Dyax Corp., filed June 17, 2002 |
| C30 | Communication from EPO on Notice of Appeal filed by Dyax, issued October 21, 2002 |
| C31 | Notice of Appeal to the European Patent EP-B-0589877 from BioInvent Therapeutic AB, filed June 14, 2002 |
| C32 | Appeal No. T0639/02-334 from BioInvent Therapeutic AB to the European Patent EP-B-0589877, filed, August 22, 002 |
| C33 | Notice of Appeal to the European Patent EP-B-0589877 from MorphoSys AG filed June 20 2002 and Grounds Of the Appeal filed August 22, 2002 |
| C34 | Notice of Appeal filed June 24, 2002 and Grounds of Appeal filed August 22, 2002 from Cambridge Antibody Technology Limited against the Decision of the Opposition Division |
| C35 | Notice of Opposition to the European Patent EP-B-0589877 from BioInvent International AB, filed October 24 2002 |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
C39	Document D83 in Appeal No. T0639/02-334: Letter dated 26 August 1999 from Cambridge Antibody Technology Ltd in opposition proceedings against EP 0 527 839		
C40	Document D85 in Appeal No. T0639/02-334: Proprietor's letter of 12 November 1997 and amended claims		
C41	Document D86 in Appeal No. T0639/02-334: EP 0774 511 A1		
C42	Document D87 in Appeal No. T0639/02-334: Proprietor's letter of 15 November 2000		
C43	Document D88 in Appeal No. T0639/02-334: Grounds of Appeal dated 22 August 2002 from present opponent opposition proceedings against EP 0589 877		
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C46	Document D91 in Appeal No. T0639/02-334: Better <i>et al.</i> (1988). Science 240, 1041-1043		
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C49	Document D13: Communication of the European Office of 28 June 2001		
C50	Document D17: Vieira and Messing (1987). Methods Enzymol. 153, 3-11		
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
C51	Document D27: Details of Smith Grant application and second and third year renewals thereof as provided by the DHHS in response to a Freedom to Information Act (FOIA) request		
C52	Notice of Opposition to the European Patent EP-B-0589877 from Dyax Corp.		
C53	Document D1: EPO register print-out for the patent application with file history information		
C54	Document D3: Claims filed with the divisional application		
C55	Document D7: Pluckthun and Skerra, "Expression of functional antibody Fv and Fab fragments in <i>Escherichia coli</i> ," <i>Methods in Enzymology</i> , Vol. 178 (1989), pages 497-515		
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
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C65	Opposition to European patent EP-B-0589877, cited opposition document D18: Chaudhary et al. "A recombinant immunotoxin consisting of two antibody variable domains fused to <i>Pseudomonas</i> exotoxin", <i>Nature</i> 339: 394-397 (1989)		
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C68	Opposition to European patent EP-B-0589877, cited opposition document D27: Devlin et al. "Random peptide libraries: a source of specific protein binding molecules", <i>Science</i> 249: 404-405 (1990)		
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C70	Opposition to European patent EP-B-0589877, cited opposition document D38: Roberts et al. "Directed evolution of a protein: selection of potent neutrophil elastase inhibitors displayed on M13 fusion phage", <i>Proc. Natl. Acad. Sci. USA</i> 89: 2429-2433 (1992)		
C71	Opposition to European patent EP-B-0589877, cited opposition document D39: Glockshuber et al. "The disulfide bonds in antibody variable domains: effects on stability, folding in vitro, and functional expression in <i>Escherichia coli</i> ", <i>Biochemistry</i> 31: 1270-1279 (1992)		
C72	Opposition to European patent EP-B-0589877, cited opposition document D41: Kay et al. "Phage display of peptides and proteins", <i>A laboratory Manual</i> (1996) (Cover page and Foreward enclosed)		
C73	Opposition to European patent EP-B-0589877, cited opposition document D42: Proba et al. "A natural antibody missing a cysteine in V _H : consequences for thermodynamic stability and folding", <i>J. Mol. Biol.</i> 265: 161-172 (1997)		
EXAMINER		DATE CONSIDERED	
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		Applicant McCafferty <i>et al.</i>	
		Filing Date March 18, 2004	Group Art Unit
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
C74	Opposition to European patent EP-B-0589877, cited opposition document D43: Proba <i>et al.</i> "Antibody scFv fragments without disulfide bonds made by molecular evolution", <i>J. Mol. Biol.</i> 275: 245-253 (1998)		
C75	Opposition to European patent EP-B-0589877, cited opposition document D44: Letter of 18 November 1992 to EPO from Kilburn Strode in prosecution of EP-B-0 349 578		
C76	Opposition to European patent EP-B-0589877, cited opposition document D45: Page 3 of EPO letter of 19 October 1993 addressed to Ploughmann, Ole (c/o Ploughmann Vingtoft A/S) in prosecution of EP-B-0 768 377		
C77	Opposition to European patent EP-B-0589877, cited opposition document D46: Letter of 22 September 1994 to EPO from Ploughmann & Vingtoft in prosecution of EP-B-0 768 377		
C78	Opposition to European patent EP-B-0589877, cited opposition document D47: Extract from OD Decision in opposition proceedings against EP-B-0 201 184 (1995)		
C79	Opposition to European patent EP-B-0589877, cited opposition document D48: Letter of 14 February 1996 to EPO from Hepworth, Lawrence, Bryer & Biley in prosecution of EP-A-0 527 839, 1996		
C80	Opposition to European patent EP-B-0589877, cited opposition document D49: the Boards of Appeal of the European Patent Office decision of 8 May 1996, case number T694/92 - 3.3.4		
C81	Opposition to European patent EP-B-0589877, cited opposition document D50: Extract from opposition proceeding against EP-B-0 349 578 (1996)		
C82	Opposition to European patent EP-B-0589877, cited opposition document D51: Extract from OD Decision in proceedings against EP-B-0 349 578 (1998)		
C83	Opposition to European patent EP-B-0589877, cited opposition document D53: Declaration of professor sir Aaron Klug, Ph.D. with exhibits, (23 June 1998)		
C84	Opposition to European patent EP-B-0589877, cited opposition document D54: preprint of paper by Scott and Smith submitted to Science		
C85	Opposition to European patent EP-B-0589877, cited opposition document D55: Smith grant application		
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C86	Opposition to European patent EP-B-0589877, late filed document D56: claim for infringement of 24 September 1998, from Cambridge Antibody Technology Limited to EPO		
C87	Opposition to European patent EP-B-0589877, late filed document D58: McConnell et al. "Constrained peptide libraries as a tool for finding mimotopes", Gene 151: 115-118 (1994).		
C88	Opposition to European patent EP-B-0589877, late filed document D59: two chapters of "Lambda II" (eds. Hendrix et al.) Cold Spring Harbour Laboratory, Cold Spring Harbour, New York, 1983: "A Beginner's Guide to Lambda Biology" (Arber) (pp. 381-395) and "Tail Assembly and Injection" (Katsura) (pp. 331-346).		
C89	Opposition to European patent EP-B-0589877, late filed document D60: Pamley & Smith "Filamentous fusion phage cloning vectors for the study of epitopes and design vaccines", Adv. Exp. Med. Biol. 251: 251-8 (1989).		
C90	Opposition to European patent EP-B-0589877, late filed document D63: Declaration of William D. Huse, MD, Ph.D. (17 August 1999)		
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C92	Opposition to European patent EP-B-0589877, late filed document D67: Declaration of Dr. Viia Valge-Archer (3 May, 2000)		
C93	Opposition to European patent EP-B-0589877, late filed document D68: Declaration of Dr. Hiroshi Ueda (3 May, 2000)		
C94	Opposition to European patent EP-B-0589877, late filed document D69: First Declaration of Dr. Rachel B. Kent (4 February, 2000)		
C95	Opposition to European patent EP-B-0589877, late filed document D71: letter of patentees filed at USPTO on 16 July 1996		
C96	Opposition to European patent EP-B-0589877, late filed document D72: letter of patentees filed at USPTO on 6 March 1997.		
C97	Opposition to European patent EP-B-0589877, late filed document D73: Opposition by CAT against EP-B-0 564 531.		
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C98	Opposition to European patent EP-B-0589877, late filed document D74: Decision of EPOD on EP-B-0 201 184.		
C99	Opposition to European patent EP-B-0589877, late filed document D75: Declaration of Prof. Andreas Plückhün (3 May, 2000).		
C100	Opposition to European patent EP-B-0589877, late filed document D76: Notice of grant awarded to Smith grant application.		
C101	Opposition to European patent EP-B-0589877, late filed document D77: Endemann and Model "Location of filamentous phage minor coat proteins in phage and in infected cells", <i>J. Mol. Biol.</i> 250: 496-506 (1995). The document was objected to by patentees.		
C102	Opposition to European patent EP-B-0589877, late filed document D79: Extract from MorphoSys website.		
C103	Opposition to European patent EP-B-0589877, late filed document D80: Written Decision dated 26 May 2000 to revoke EP-B-0436597.		
C104	Opposition to European patent EP-B-0589877, late filed document D81: 2nd Declaration of Dr. Viia Valge-Archer (31 May, 2000).		
C105			
C106			
C107			
C108			
C109			
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